REMARKS

The pending Office Action addresses claims 1-30, rejecting claims 1-20 and 30 and allowing claims 21-29.

Amendments to the Claims

Applicant amends independent claim 30 to specify that the at least one bone-engaging surface feature formed on the elongate body of the suture anchor is longitudinally extending. Support for this amendment can be found throughout the specification, for example, at page 4, lines 28-29. No new matter is added.

Rejections Pursuant to 35 U.S.C. §102(b)

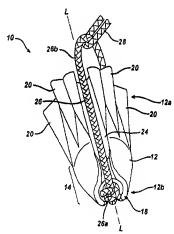
U.S. Publication 2002/0161401 to Steiner

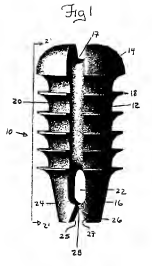
The Examiner rejects claims 1-8, 10, and 11 pursuant to 35 U.S.C. § 102(b) as being anticipated by U.S. Publication 2002/0161401 to Steiner ("Steiner"). Applicant respectfully disagrees.

Independent claim 1 recites a suture anchor system including a suture anchor having at least one longitudinally extending bone-engaging surface feature formed thereon. This is illustrated, for example, in Figure 1 of the present application, which is reproduced herein. As shown in Figure 1 and explained by Applicant in paragraph [0016] of the application:

> The surface features 20 are adapted to engage bone to prevent removal of the suture anchor 10 once the anchor 10 is implanted. While the surface features 20 can vary in size and shape, in an exemplary embodiment the surface features 20 are in the form of longitudinally extending ridges, as shown, that extend from a position just proximal to the distal tip 12b and that terminate at the proximal end 12a.

FIG. 1





Steiner fails to disclose a suture anchor having longitudinally extending surface features. Steiner teaches a suture anchor with screw threads (18) formed around a cylindrical body portion of the anchor. The Examiner asserts that the screw threads (18) taught by Steiner "all have some degree of longitudinal extension." While the threads (18) of Steiner may have a longitudinal *depth or thickness*, the threads themselves are not longitudinally extending. As shown in Figure 1 of Steiner (reproduced at left), the screw threads (18) *extend radially* around the body and are intersected by longitudinally extending suture grooves (20). Screw threads that extend radially around the body certainly cannot be considered to be longitudinally extending surface features, as required by claim 1. Accordingly, independent claim 1, as well as claims 2-11 which depend directly or indirectly therefrom, are not anticipated by Steiner.

U.S. Patent 5,957,924 to Tormala et al.

The Examiner rejects claims 1-8, 10-14, 16, 17, 19, and 20 pursuant to 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,957,924 to Tormala et al. ("Tormala"). Applicant respectfully disagrees.

Independent claims 1 and 12 recite a suture anchor having at least one longitudinally extending bone-engaging surface feature formed thereon. Similar to Steiner, Tormala discloses a suture anchor having radially extending threads or barbs formed thereon. As explained above, while the threads (12b) of Tormala may have a longitudinal *depth or thickness*, the threads themselves are not longitudinally extending. Accordingly, independent claims 1 and 12, as well as claims 2-11 and 13-20 which depend directly or indirectly therefrom, are not anticipated by Tormala.

U.S. Patent 5,733,307 to Dinsdale

The Examiner rejects claims 1-8, 10-17, 19, 20, and 30 pursuant to 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,733,307 to Dinsdale. ("Dinsdale"). Applicant respectfully disagrees.

Independent claims 1, 12, and 30 recite a suture anchor having at least one discrete longitudinally

extending bone-engaging surface feature formed thereon. Like Steiner and Tormala, Dinsdale discloses a suture anchor having radially extending threads formed thereon. Accordingly, independent claims 1, 12, and 30, as well as claims 2-11 and 13-20 which depend directly or indirectly therefrom, are not anticipated by Dinsdale.

Rejections Pursuant to 35 U.S.C. §103(a)

The Examiner rejects claims 9 and 18 pursuant to 35 U.S.C. § 103(a) as being obvious over Steiner or Tormala. The Examiner asserts that although Steiner and Tormala "fail to teach wherein the at least one longitudinally extending bone-engaging surface feature comprises at least one discrete pyramid-shaped surface feature," it would have been obvious to one of ordinary skill in the art to "make the longitudinally extending bone-engaging surface feature of Steiner or Tormala et al. a discrete pyramid-shape because the shape of the bone-engaging surface is a mere design choice and that any shape would perform equally well." Applicant respectfully disagrees.

It would not have been obvious to a person having ordinary skill in the art to modify the suture anchor of Steiner or Tormala to include pyramid-shaped surface features, much less any type of longitudinally-extending surface features, because such a modification is *contrary* to the teachings of Steiner and Tormala. Both Steiner and Tormala teach suture anchors having threads formed thereon for threading the suture anchor into bone. The use of any type of longitudinally-extending surface feature would inhibit rotation of the threaded suture anchor. In fact, rotation of an anchor having longitudinally-extending surface features would damage the bone, preventing a secure fit between the suture anchor and the bone. Applicant has discovered that suture anchors with longitudinally extending bone-engaging surface features are easier to install and provide greater stability than those with radially or laterally extending surface features. The longitudinally extending surface features provide a sleeker more streamlined entry than those suture anchors that include radially or laterally extending surface features. Additionally, Applicant's suture anchors provide greater stability because the longitudinal surface features create less disruption in the pre-drilled bone hole during insertion resulting in a tighter more secure fit. Thus, claims 9 and 18 are not obvious in view of Tormala and Steiner and therefore represent allowable subject matter.

Allowable Subject Matter

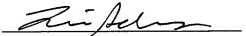
Applicant appreciates the Examiner's indication that claims 21-29 define allowable subject matter.

Conclusion

In conclusion, Applicant submits that all pending claims are now in condition for allowance, and allowance thereof is respectfully requested. The Examiner is encouraged to telephone the undersigned attorney for Applicant if such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

Date: May 2, 2006



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